

HIGHLAND BOARD OF ZONING APPEALS
Minutes of the Meeting of
July 24, 2019

The Highland Board of Zoning Appeals met on July 24, 2019 in the meeting room of the Municipal Building, 3333 Ridge Road, Highland IN. Mrs. Murovic called the meeting to order at 6:30 p.m. The meeting opened with the Pledge of Allegiance led by Mr. Grzymiski.

ROLL CALL: Present were Board Members Mr. Martini, Mr. Grzymiski, Mr. Leep and Mrs. Murovic. Also present was Building Commissioner/Zoning Administrator, Mr. Ken Mika, Town Council Liaison Mr. Steve Wagner and Town Attorney Mr. Jared Tauber. Absent was Board Member Mr. Helms.

MINUTES: The minutes of the May 22, 2019 meeting were approved as posted.

ANNOUNCEMENTS: The next meeting of the Board of Zoning Appeals to be August 28, 2019 at 6:30 p.m.

COMMUNICATIONS: None

Old Business: None

New Business: Public Hearing for Robert W. Orsborn, 9022 Kennedy Avenue, Highland, IN 46322, requesting a variance to construct a two-car, 32' x 24.7' detached garage with access to alley on his property at 9022 Kennedy Ave., which exceeds accessory structure allowance. {HMC 18.05.060 (F) (5)} In Zoning District R-1A, R-1, R-2 or R-3. The summation of the gross floor area of all accessory structures shall not exceed the gross area of the principal structure, or 720 square feet, whichever is less.

Mrs. Murovic confirmed with Mr. Tauber that the Proof of Publication was in order and he replied that he had reviewed the Proof of Publication and that it was in compliance with IC 5-3-1.

Mr. Robert W. Orsborn stepped forward and stated his name and address, 9022 Kennedy Avenue, Highland, IN. He then handed out a packet to each of the Board Members to help explain his variance request that contained photos of his property, the proposed garage location and drawings of the proposed garage.

He stated he was the second owner of the property and just purchased it in November of 2018. He stated it was nice to live in Highland where there is history and he liked the fact that there is a "Downtown". He went on to say that he served 20 years as an electrician and he had seen a lot of codes implemented and he had seen a lot of crazy things in construction,

so because of this he had a good idea of what he did and didn't want to do. He has also been an Eagle Scout like his son and because of his background, had accumulated a large amount of tools, hardware and equipment that he needed storage for. He also stated that the entrance to his basement in his home had a hard right 90 degree turn to access it, which makes storing larger items difficult. He also said he has wood-working equipment, scuba-diving gear and photography equipment that also has to be stored.

He then went on to explain that he was requesting the variance to build a new 2-car, 768 square foot garage with a 3 foot setback off the alley on his property to solve these storage issues and parking for his truck. He stated he wanted to make the garage access door 9' high so he could have plenty of room for his truck to access it and also wanted to advertise his property as suitable for tradesmen if he ever went to sell the property. He also stated he wanted it to be aesthetically pleasing to look at and better the community around his area.

Mrs. Murovic opened the discussion to the public for any questions or comments. Hearing no remonstrance, she brought the discussion back to the Board.

Mr. Martini asked Mr. Orsborn to explain the significance of the dormer that he was showing in one of the presented photographs. Mr. Orsborn explained that he was trying to keep the aesthetics of the house and the garage by adding a dormer to his proposed garage, so it matched the house. He also wanted to give the impression that the house and garage were built around the same time frame when they were completed, so the two matched perfectly. He went on to explain that the dormer area of the garage would house a walk up stairway to the 2nd floor to accommodate head room.

Mr. Martini asked if the only utility in the proposed garage would be electric. Mr. Orsborn replied that he was considering gas, also, due to the fact that he wanted a furnace so he could comfortably do his wood-working in the winter months as well as the rest of the year. Mr. Martini asked if the dormer would house a 2nd room in the garage. Mr. Orsborn said it would not be a separate room, but rather an attic for storage. Mr. Martini then asked if he planned a toilet in the garage, to which Mr. Orsborn replied that this was not in his plans and that he had a very convenient ½ bathroom within 12' of the back entrance to his home that he would be using when working in the garage. Mr. Martini then inquired what the total height of the garage would be. He replied it would be less than 24'. Mr. Mika pointed out that the zoning ordinance specified the height of an accessory structure could not be more than 18'. Mr. Orsborn agreed that his garage could be kept under 18' easily and that he was not as informed as he could be at this point to the rules and allowances for this type of construction. Mrs. Murovic pointed out that the structure must not become a secondary unit and that these rules must be adhered to. Mr. Martini also pointed out that another owner may have a different idea of how to use the structure if it had all the amenities of a living space.

Mrs. Murovic stated her concern of the fact that there was only 3' off the alley in front of the proposed garage. Mr. Orsborn stated that he was not planning on parking in front of the garage and that his truck would easily make the turn into the garage from the alley. She then asked if there was any ordinance currently in place for the distance of the garage off the alley. Mr. Mika replied that there was not, other than at least 3' off the rear and side property lines. Mr. Grzyski asked if Mr. Orsborn was planning on siding the garage. He replied he was leaning towards the pre-finished hardboard because he liked the look of that best. He also stated he was planning on eventually siding the house to match the garage with the

hardboard. He also stated he was planning on matching the garage roof with the same architectural shingles that were on the roof of the house.

Mr. Leep motioned to approve the variance with the exception that the height does not exceed the standard maximum allowed height for an accessory structure of 18'. Mr. Martini seconded and the motion was passed with a unanimous vote of 4 – 0.

BUSINESS FROM THE FLOOR: None

ADJOURNMENT: Motion: Mr. Grzynski Second: Mr. Martini Time: 6:52 p.m.